

Express Mail No. ER 564 687 815 US

PTO-1390 (Rev. 07-2005)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 116 US PC01
INTERNATIONAL APPLICATION NO. PCT/US2004/037600		INTERNATIONAL FILING DATE 10 Nov 2004 (10.11.04)
TITLE OF INVENTION TREATMENT OF INFLAMMATORY BOWEL DISEASES WITH ANTI-IP-10 ANTIBODIES		PRIORITY DATE CLAIMED 4 Dec 2003 (04.12.03)
APPLICANT(S) FOR DO/EO/US Balaji BALASA et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p style="margin-top: 10px;">Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (if known) 37 CFR 1.5) 10/581468	INTERNATIONAL APPLICATION NO. PCT/US2004/037600	ATTORNEY'S DOCKET NUMBER 116 US PC01														
20. Other items or information: Request for Change of Name of Applicant under 92bis.as submitted 16 May 2006 (COPY)																
The following fees have been submitted		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 60%;">CALCULATIONS</th> <th style="width: 40%;">PTO USE ONLY</th> </tr> </table>	CALCULATIONS	PTO USE ONLY												
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21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 300.00</td> <td style="width: 40%;"></td> </tr> </table>	\$ 300.00													
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22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 All other situations..... \$200		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 200.00</td> <td style="width: 40%;"></td> </tr> </table>	\$ 200.00													
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23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 All other situations..... \$500		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 100.00</td> <td style="width: 40%;"></td> </tr> </table>	\$ 100.00													
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TOTAL OF 21, 22 and 23 =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">600.00</td> <td style="width: 40%;"></td> </tr> </table>	600.00													
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<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%;"></td> </tr> </table>														
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 15%;">Total Sheets</th> <th style="width: 15%;">Extra Sheets</th> <th style="width: 30%;">Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th style="width: 10%;">RATE</th> </tr> <tr> <td style="text-align: center;">- 100 =</td> <td style="text-align: center;">/50 =</td> <td></td> <td style="text-align: center;">x \$250</td> </tr> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	- 100 =	/50 =		x \$250	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%;"></td> </tr> </table>							
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- 100 =	/50 =		x \$250													
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%;"></td> </tr> </table>														
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 10%;">RATE</th> </tr> <tr> <td>Total claims</td> <td style="text-align: center;">20 - 20 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$ 50</td> </tr> <tr> <td>Independent claims</td> <td style="text-align: center;">2 - 3 =</td> <td style="text-align: center;">0</td> <td style="text-align: center;">x \$200</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	20 - 20 =	0	x \$ 50	Independent claims	2 - 3 =	0	x \$200	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%;"></td> </tr> </table>			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE													
Total claims	20 - 20 =	0	x \$ 50													
Independent claims	2 - 3 =	0	x \$200													
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%;"></td> </tr> </table>														
TOTAL OF ABOVE CALCULATIONS =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%;"></td> </tr> </table>														
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%;"></td> </tr> </table>														
SUBTOTAL =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 600.00</td> <td style="width: 40%;"></td> </tr> </table>	\$ 600.00													
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Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%;"></td> </tr> </table>														
TOTAL NATIONAL FEE =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 600.00</td> <td style="width: 40%;"></td> </tr> </table>	\$ 600.00													
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Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;"></td> <td style="width: 40%;"></td> </tr> </table>														
TOTAL FEES ENCLOSED =		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$ 600.00</td> <td style="width: 40%;"></td> </tr> </table>	\$ 600.00													
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- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 50-3270 in the amount of \$ 600.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-3270. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

PDL BIOPHARMA, INC.
Legal Department
34801 Campus Drive
Fremont, CA 94555
(510) 574-1400
Customer No. 47470



SIGNATURE

Michael Biro

NAME

NAME

46,556

REGISTRATION NUMBER

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

87

Application Number

Filed Herewith

Filing Date

June 1, 2006

First Named Inventor

Drago CENDAK

Art Unit

Examiner Name

Attorney Docket Number

0315-0001

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☒

Fee Attached

☐

Amendment/Reply

☐

After Final

☒

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☒

Information Disclosure Statement

☒

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☒

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☒

Power of Attorney, Revocation
Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐

Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify
below):

National Application in English

Transmittal Letter to U.S.

International Publication WO 2005/053889

International Search Report

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Beem Patent Law Firm

Signature

Roger J. French

Printed name

Roger J. French

Date

June 1, 2006

Reg. No.

27, 786

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Roger J. French

Typed or printed name

Roger J. French

Date

June 1, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Cover
Page

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05/16/2006 15:10 FAX 5105741473

PDL BIOPHARMA

001

Atty Docket No. 116 WO 02

PCT FAX NO.: 571/273-3201

ATTENTION: PCT Legal Division

OFFICIAL COMMUNICATION

FOR THE ATTENTION OF

THE U.S. RECEIVING OFFICE

CERTIFICATION OF FACSIMILE TRANSMISSION


I hereby certify that the following documents in re Application of Protein Design Labs, Inc., Application No. PCT/US2004/037600, filed 10 November 2004, for TREATMENT OF INFLAMMATORY BOWEL DISEASE WITH ANTI-IP10 ANTIBODIES are being facsimile transmitted to the United States Receiving Office, for the attention of the PCT Legal Division on the date shown below.

Documents Attached

1. Request for Change of Name of Applicant under 92bis (1 page)
2. Certificate of Name Change (State of Delaware) (2 pages)

Number of pages being transmitted, including this page: 4

Dated: 16 May 2006


Tami Haskins

PLEASE CONFIRM RECEIPT OF THIS PAPER BY
RETURN FACSIMILE AT (510) 574-1473

PDL BIOPHARMA, INC.
Legal Department
34801 Campus Drive
Fremont, CA 94555
Telephone: 510/574-1400
Customer No.: 47470

PCT FAX NO.: 571/273-3201

ATTENTION: PCT Legal Division

OFFICIAL COMMUNICATION
FOR THE ATTENTION OF
THE U.S. RECEIVING OFFICE

COPY

CERTIFICATION OF FACSIMILE TRANSMISSION

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PDL BIOPHARMA, INC.
Legal Department
34801 Campus Drive
Fremont, CA 94555
Telephone: 510/574-1400
Customer No.: 47470



PDL BioPharma, Inc.
34801 Campus Drive
Fremont, CA 94555
tel: 510 574 1400
fax: 510 574 1500

May 16, 2006

VIA FACSIMILE (1.571.273.3201)

Examining Officer
PCT International Application Processing Div.
USPTO International Division
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: International Application No. PCT/US2004/037600
Title: TREATMENT OF INFLAMMATORY BOWEL DISEASE WITH
ANTI-IP10 ANTIBODIES
Applicant(s): Protein Design Labs, Inc.
International Filing Date: 10 November 2004
Date of Facsimile Transmission: 16 May 2006
Our Reference: 116 WO 02

Dear Examining Officer:

Pursuant to Rule 92*bis*, Applicant respectfully requests to change the Name for Applicant:

<u>From:</u>	PROTEIN DESIGN LABS, INC. 34801 Campus Drive Fremont, California 94555	<u>To:</u>	PDL BIOPHARMA, INC. 34801 Campus Drive Fremont, California 94555
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Attached to this request is a copy of the Certificate of Name Change as filed with the Secretary of State of Delaware.

Applicant requests that the Office forward a Form PCT/IB/306 noting this change.

Respectfully submitted,

Cynthia Shumate
Reg. No. 38,303

cc: International Bureau of WIPO
(via facsimile: 011 41 22 338 8270)

State of Delaware
Secretary of State
Division of Corporations
Delivered 08:55 AM 01/09/2006
FILED 08:58 AM 01/09/2006
SRV 060018015 - 2097107 FILE

CERTIFICATE OF AMENDMENT
OF
CERTIFICATE OF INCORPORATION
OF
PROTEIN DESIGN LABS, INC.

Protein Design Labs, Inc., a corporation organized and existing under the laws of the State of Delaware (the "Corporation"), hereby certifies as follows:

1. Article FIRST of the Corporation's Restated Certificate of Incorporation (the "Certificate of Incorporation") is hereby amended and restated in its entirety to read as follows:

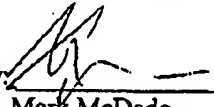
"FIRST: The name of the Corporation is PDL BioPharma, Inc. (hereinafter sometimes referred to as the "Corporation")."

2. The foregoing amendment of the Certificate of Incorporation has been duly adopted by the Corporation's Board of Directors and stockholders in accordance with the provisions of Sections 242 and 222 of the General Corporation Law of the State of Delaware.

4. This amendment to the Corporation's Certificate of Incorporation shall be effective on and as of the date of filing of this Certificate of Amendment with the Secretary of State of the State of Delaware.

IN WITNESS WHEREOF, Protein Design Labs, Inc. has caused this Certificate of Amendment to be signed by Mark McDade, Chief Executive Officer, this 9th day of January, 2006.

PROTEIN DESIGN LABS, INC.

By: 
Mark McDade
Chief Executive Officer

Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "PROTEIN DESIGN LABS, INC.", CHANGING ITS NAME FROM "PROTEIN DESIGN LABS, INC." TO "PDL BIOPHARMA, INC.", FILED IN THIS OFFICE ON THE NINTH DAY OF JANUARY, A.D. 2006, AT 8:58 O'CLOCK A.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE KENT COUNTY RECORDER OF DEEDS.



2097107 8100

060018015

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4431946

DATE: 01-09-06